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THE GAZETTE OF THE REPUBLIC OF SRI LANKA (CEYLON)

EXTRAORDINARY

අංක 243/14 — 1976 දෙසැම්බර් 17 වැනි සිකුරාදා — 1976.12.17

No. 243/14 — FRIDAY, DECEMBER 17, 1976

(Published by Authority)

PART I: SECTION (I)—GENERAL

Government Notifications

P. O. No. W. 68(70)/76.

PUBLIC SECURITY ORDINANCE (CHAPTER 40)

REGULATIONS made by the President under section 5 of the Public Security Ordinance upon the recommendation of the Prime Minister.

W. GOPALLAWA,
President.

President's Office,
Colombo, December 17, 1976.

Regulations

1. These Regulations may be cited as the Emergency (Prevention of Subversion) Regulations.

2. No person shall otherwise than in proceedings in the National State Assembly, or in proceedings before any Court of Law by words or conduct or by any other representations made or uttered deny or in any other manner defy, challenge or question the validity of the Constitution of the Republic of Sri Lanka or of any provisions thereof :

Provided, however, that it shall not be an offence under these Regulations for any person, without denying the validity of the Constitution of the Republic of Sri Lanka or challenging or questioning its validity in any manner whatsoever, to agitate for the change of the Constitution in whole or in part in the manner provided for in the Constitution.

3. No person shall, by words or conduct or by representations made or uttered, incite, encourage or induce any person, whether directly or indirectly, to defy in any manner whatsoever or to act in derogation of the Constitution or of the authority of any institution or officers established or appointed or deemed to have been established or appointed thereunder or in defiance or derogation of the laws made or enacted or recognised thereunder.

3(A). (1) No person shall print, cause to be printed or have in his possession, custody or control or distribute any book, document, paper or thing containing any writing or representation which is likely to incite, encourage or induce any person, whether directly or indirectly, to defy, in any manner whatsoever, or to act in derogation of, the Constitution or of the authority of any institution or officers established or appointed or deemed to have been established or appointed thereunder or in defiance or derogation of the laws made or enacted or recognised thereunder.

(2) Where any person is convicted by any Court of an offence under paragraph 1, the printing press or other Machinery used for the printing of the book, document, paper or thing shall be deemed to be forfeited to the Republic of Sri Lanka.

4. Where any person is convicted by any Court of any offence under these Regulations, committed at a meeting organised by a recognised political party, or by publication in a journal or newspaper of a recognised political party, then such political party shall forfeit its status under the law as a recognised political party and :

(a) all property, movable and immovable, belonging to such party shall be deemed to be forfeited to the Republic of Sri Lanka ; and

(b) any alienation or other disposal of such property effected by or on behalf of such political party after the date of the coming into force of these Regulations shall be deemed to have been and to be null and void,

5. Where a person convicted by any Court of any offence under these Regulations is bound by an oath or affirmation taken or made in terms of the Constitution, then, in addition to any other penalty that the Court shall impose for such offence—

- (a) all property, movable and immovable, of that person shall, by virtue of such conviction, be deemed to be forfeited to the Republic of Sri Lanka ; and
- (b) any alienation or other disposal of such property effected by such person after the date of the coming into force of these Regulations shall be deemed to have been and to be, null and void.

6. For the purposes of these Regulations, “ induce ” shall include the offering or promising of any reward or the holding out of any threat or any punishment or penalty.